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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re LEAPFROG ENTERPRISES, INC.) Master File No. 3:15-cv-00347-EMC
SECURITIES LITIGATION)

_____) CLASS ACTION

This Document Relates To:) STIPULATION AND [PROPOSED]
) SCHEDULING ORDER

ALL ACTIONS.)

_____)

1 Pursuant to Civil Local Rule 7-12, the parties – lead plaintiff KBC Asset Management NV
2 (“Lead Plaintiff”) and defendants LeapFrog Enterprises, Inc., John Barbour, and Raymond L. Arthur
3 (“Defendants”) – by and through their undersigned counsel of record, submit the following
4 stipulation and proposed order:

5 WHEREAS, on May 26, 2015, the Court previously granted the parties’ stipulated request to
6 continue the scheduled case management conference from September 24, 2015 to October 8, 2015
7 (Dkt. No. 49);

8 WHEREAS, on November 9, 2015, the Court previously granted the parties’ stipulated
9 request to continue the scheduled case management conference from January 14, 2016 to March 24,
10 2016, and entered the proposed schedule for Lead Plaintiff to file an amended complaint and a
11 briefing schedule for Defendants anticipated motion to dismiss (Dkt. No. 69);

12 WHEREAS, on December 4, 2015, Lead Plaintiff filed the First Amended Consolidated
13 Class Action Complaint for Violation of the Federal Securities Laws against Defendants
14 (“Complaint”) (Dkt. No. 70);

15 WHEREAS, on January 15, 2016, Defendants moved to dismiss the Complaint (Dkt. No.
16 72);

17 WHEREAS, on August 2, 2016, the Court entered an Order Granting Defendants’ Motion to
18 Dismiss (“MTD Order”) and permitting Lead Plaintiff to file a second amended complaint within 30
19 days (Dkt. No. 88);

20 WHEREAS, on August 19, 2016, Lead Plaintiff filed Lead Plaintiff’s Notice of Motion and
21 Motion for Leave to File a Motion for Reconsideration concerning certain aspects of the MTD Order
22 (Dkt. No. 90);

23 WHEREAS, on August 31, 2016, the Court entered an Order Denying Plaintiffs’ Motion for
24 Leave to File a Motion for Reconsideration (“Reconsideration Order”), in which it stated that
25 reconsideration at this time “would not comport with ‘conservation of judicial resources’” in light of
26 the anticipated second amended complaint and ability to address the issues Lead Plaintiff raised in
27 the anticipated next round of motion to dismiss briefing (Dkt. No. 93);

28

1 WHEREAS, the second amended complaint must be filed within 30 days of the MTD Order
2 (Dkt. No. 88);

3 WHEREAS, Lead Plaintiff requests time to analyze the Reconsideration Order; and

4 WHEREAS, the parties have met and conferred and have agreed to a schedule whereby:

5 1. If Lead Plaintiff decides to file a second amended complaint, it shall do so no later
6 than September 20, 2016;

7 2. Defendants' motion to dismiss a second amended complaint shall be due on or before
8 November 4, 2016, and shall be noticed for hearing on February 2, 2017;

9 3. Lead Plaintiff's opposition to Defendants' motion to dismiss shall be due on
10 December 19, 2016; and

11 4. Defendants' reply in support of their motion to dismiss shall be due on January 20,
12 2017.

13 NOW, THEREFORE, the parties hereby agree and stipulate that:

14 1. Lead Plaintiff shall have until September 20, 2016 to file a second amended
15 complaint;

16 2. Defendants' motion to dismiss a second amended complaint shall be due on or before
17 November 4, 2016, and shall be noticed for hearing on February 2, 2017;

18 3. Lead Plaintiff's opposition to Defendants' motion to dismiss shall be due on
19 December 19, 2016; and

20 4. Defendants' reply in support of their motion to dismiss shall be due on January 20,
21 2017.

22 DATED: September 1, 2016

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26 s/ Matthew S. Melamed
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DATED: September 1, 2016

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Attorneys for Defendants

I, Matthew S. Melamed, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Scheduling Order. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Mark R.S. Foster has concurred in this filing.

s/ Matthew S. Melamed
MATTHEW S. MELAMED

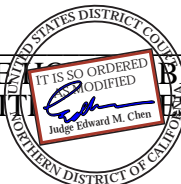
* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. (as modified on p. 2, line 20)

DATED: 9/2/2016

THE HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE



CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2016, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 1, 2016.

s/ Matthew S. Melamed
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Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)